

CONSULAR SYSTEMS TECHNICAL ISSUES

- **The Bureau of Consular Affairs continues to address technical problems with our visa systems. Some visa applicants will experience delays in receiving visas. Others will be contacted directly to reschedule their appointments. Passports are still being processed.**
- **This issue is not specific to any particular country or visa category; this is a global issue. We do not believe these problems stem from any cyber-security hacking issues.**
- **Our border security responsibilities are critical to the visa process. We cannot bypass the legal requirements to screen visa applicants before we issue visas for travel. We are assisting visa applicants with urgent humanitarian travel, and adoption cases are being processed. Individuals with humanitarian travel needs should contact**

their nearest U.S. embassy or consulate.

Q: What caused this outage? Was it a malicious action or hack?

- There is no evidence the problem is cyber security related.

Q: How long before you restore full system functionality?

- Overseas passports are being issued. Public and private sectors experts are working around the clock to correct the problem, but we do not expect the system will be online before next week.

Q: How many travelers are affected by this outage?

- This is a global issue and is having impact on our consular operations. We are in daily communication with consular operations worldwide to assess the evolving impact and provide guidance, including information for the traveling public.

Q: Once operational, how will cases be prioritized?

- Once the systems are fully operational, we will work as quickly as possible to clear the backlog of pending visa cases.
- We apologize to applicants and recognize that this may cause hardship to applicants waiting for visas.

Q: IF PRESSED: What about the foreign agricultural workers (H2A visa holders?)

- We are exploring every possible option for facilitating legitimate travel.

Background

Wall Street Journal by Miriam Jordan, June 15, 2015

Visa Glitch Stalls Workers, Straining U.S. Farms

A computer failure has prevented the U.S. from issuing thousands of temporary and immigrant visas since June 9, leaving agricultural workers stranded at the border just as the summer harvest gets under way.

“It’s a crisis,” said Jason Resnick, general counsel for the Western Growers Association, which represents farmers in California, Arizona and Colorado.

He said that more than 1,000 workers who expected H-2A agricultural visas are stuck on the Mexican side of the border, where motels are overflowing. The workers are overdue to start harvesting berries and other crops on U.S. farms. Mr. Resnick estimated that California agriculture, already stressed by drought, is losing \$500,000 to \$1 million for each day of delay.

Growers from Washington state to Michigan, the Carolinas and Georgia are also frustrated and braced for losses as the U.S. government’s main program for providing legal farmworkers to forestall the use of illegal migrants remains frozen.

“Some of my Rainier cherries are beat to a pulp,” said Julie Evans, a grower in southeastern Washington whose fruit has ripened faster than normal. “Not having the workers is hurting us terribly.” Growers say it is too early to say whether the delay will cause a rise in produce prices.

Business and tourism visas are also stalled by the glitch.

“The system that helps perform necessary security checks has suffered hardware failure,” said Niles Cole, a State Department spokesman. “Until it is repaired, no visas can be issued.” He said technicians are working around the clock to resolve the issue but couldn’t offer a timeline for when the system would be back in action.

Specifically, a central database isn't receiving biometric information from U.S. consulates world-wide, he said. Biometric data, including fingerprints, are used for security screening of applicants.

Mr. Cole said this step must be completed before a visa can be processed and issued. “We cannot bypass this legal requirement,” he said.

In the 2014 fiscal year, the State Department’s 235 consular posts issued 9.9 million nonimmigrant visas, including those for workers and tourists. It issued an additional 467,370 permanent or immigrant visas.

Mr. Cole couldn’t identify the cause of the computer problem but said there was no evidence of a cyberattack. He also didn’t know the extent of the

backlog. The spokesman said the current problem is unrelated to one that struck a consular database in July 2014 and delayed visas.

The U.S. Embassy in Brazil, one of the top sources of tourists in recent years, announced that any visa requests made after June 8 would take longer than the customary 10 days to be processed. Only emergency travel would be considered for quicker treatment, it said.

The visa-processing freeze exacerbates the challenges U.S. agriculture already faces. Amid a shortage of legal workers, farmers have become vocal proponents of an immigration overhaul to legalize undocumented farmworkers who are already in the country.

More than half of the 1.2 million agricultural fieldworkers are in the U.S. illegally, according to the Labor Department. Growers concerned about penalties for hiring them have turned to the seasonal worker H-2A program, which they say was already expensive and bureaucratic before the current standstill arose.

Employers must prepare paperwork months in advance of the harvest to ensure they have workers when they need them, and must also arrange housing and transportation for the workers.

Sarah Craver, whose family farms on 1,000 acres in central Washington, said that the labor shortage prompted her to join the H-2A program.

The workers she was expecting last week for the cherry harvest would be coming for the third consecutive year. “It’s irritating that it’s a federal program, costs us a lot of money and our guys are just waiting while our crop needs picking,” she said, adding that she anticipates financial losses.

The Washington Farm Labor Association has been lobbying lawmakers to press for action. More than 200 workers the association contracted are stuck in Tijuana near the California border, director Dan Fazio said, adding that another 137 who have appointments this week at the consulate to get visas were told not to come.

“Farmers who invested heavily in H-2A are asking themselves if the government is capable of administering a legal worker program,” said Mr. Fazio. “It is a question that needs to be answered as we attempt immigration reform.”

Among the crops hit by the standstill are several types of berries, cherries, peaches, corn, vegetables and tobacco.

In most cases the stranded workers’ motel bills in Mexico are being paid by the farmers or the U.S. agents who contracted them, according to the visa program’s requirements. Agents said some stranded workers, who typically travel to the border from farflung villages, are being approached by people-smugglers offering to spirit them over the border at a price.

Coming at the start of the busiest season, “it’s a desperate situation for growers,” said Libby Whitley, president of MAS Labor, a Virginia-based agency that sources 10,000 seasonal workers each year for U.S. agriculture.